

AMENDMENTS TO THE CLAIMS

Please replace the pending claims with the following claim listing:

1. **(Currently Amended)** A semiconductor optical device comprising
a mesa-stripe stacked body including at least a p-type cladding layer, an active layer and an n-type cladding layer formed on a p-type InP substrate doped with Zn,
a current-blocking layer buried in both sides of said stacked body, and
an n-type over-cladding layer and an n-type contact layer disposed on said current-blocking layer and said stacked body,

wherein said current-blocking layer is a single layer and a high-resistive layer made of an InP crystal doped with Ru, the upper surface of said current-blocking layer having a substantially level region disposed below the topmost height of the upper surface and above the height of the topmost layer of said stacked body, and a layer thickness of said current-blocking layer is between 3 and 5 μm ; [[and]]

wherein said n-type over-cladding layer is made of an InP crystal doped with a ~~group VI element~~ Se having a property for flattening a concavo-convex shape of upper surfaces of said current-blocking layer and said stacked body; and

wherein doping concentration of Se is greater than or equal to $2 \times 10^{19} \text{ cm}^{-3}$ such that said n-type over-cladding layer is hardly grown in the substantially level region.

- 2 – 15. **(Canceled)**

16. **(Currently Amended)** A method of fabricating a semiconductor optical device comprising the steps of:

forming a stacked body including at least a p-type cladding layer, an active layer and an n-type cladding layer on a p-type InP substrate doped with Zn;

processing said stacked body into a mesa stripe-like shape;

burying a current-blocking layer which is a single layer and made of an InP crystal doped with Ru in both sides of said mesa stripe-shaped stacked body, wherein said current-blocking layer has an upper surface with a substantially level region disposed below the topmost height of the upper surface and above the height of the topmost layer of said stacked body, and a layer thickness of said current-blocking layer is between 3 and 5 μm ;

forming an over-cladding layer made of an InP crystal doped with a ~~group-VI~~ element Se to flatten a concavo-convex shape of upper surfaces of said current-blocking layer and said stacked body, wherein doping concentration of Se is greater than or equal to $2 \times 10^{19} \text{ cm}^{-3}$ such that said over-cladding layer is hardly grown in the substantially level region; and

forming an n-type contact layer on said n-type over-cladding layer.

17-19. **(Canceled)**

20. **(Previously Presented)** A method according to claim 16, wherein burying a current-blocking layer in both sides of said mesa stripe-shaped stacked body comprises growing the current-blocking layer directly on the p-type InP substrate.

21. **(Previously Presented)** A method according to claim 20, wherein forming an over-cladding layer comprises growing the over-cladding layer directly on the current-blocking layer.